



## *Howard County Agricultural Land Preservation Program*

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### **APPLICATION PROCESSING PROCEDURES**

#### **STEPS IN THE APPLICATION PROCESS**

1. The **Administrator** announces the commencement of the open enrollment period and posts information on the Howard County Web page at <http://www.howardcountymd.gov>.
2. Upon request, the **Administrator** gives a complete application packet to interested **Property Owner(s)**.
3. The **Property Owner(s)** should return the completed application to the **Administrator** with a check or money order for the application fee.
4. The **Administrator** reviews the application for completeness, processes the fee payment, and identifies any potential problems with the application. If necessary, copies of any relevant deeds are obtained from Land Records by the **Administrator**.
5. Upon **Administrator's** determination that application is complete, application is logged-in as of date of acceptance.
6. The **Administrator** sends the *Request for Soils Evaluation* to the **Soil Conservation District**. Once the *Soils Evaluation* is returned, the **Administrator** scores the application.
7. If multiple parcels are involved, the **Property Owner** is encouraged to merge the parcels into one. Merging typically benefits the owner by yielding a higher score and price valuation; it may also increase the number of lots and tenant houses allowed on the property. It also benefits the County by furthering the ALPP's goal of acquiring large, contiguous blocks of farmland and reducing the potential fragmentation of farms. If any of the parcels are less than 20 acres, merging will be required.
8. The **Administrator** sends a list of applicant properties to the **Howard County Department of Environmental Health** to check for contamination problems.
9. The **Administrator**, a representative from the **Soil Conservation District** and at least one **Agricultural Land Preservation Board (ALPB)** member visit each farm, after scheduling with the **Property Owner(s)**.
10. The **Administrator** prepares a staff report including the easement price valuation and recommendation for acquisition. The **Department of Finance** advises the **Administrator** and the **ALPB** of the funds available for each acquisition.
11. The **Administrator** advertises the **ALPB** meeting and posts the staff report on the Howard County web page.
12. The **ALPB** holds a public meeting on each applicant property. Applications, staff reports with recommendations, and available funding are reviewed and discussed by the **ALPB**. Members of the public and **Property Owner(s)** may offer comments.
13. The **ALPB** determines the price to be offered for each property, according to the pricing formula.
14. The **Administrator** sends a cover letter and a copy of the application and staff report to the **Office of Law** explaining the price offer, any special circumstances, unresolved issues and an analysis of certain rights as they apply to each property (unrestricted lots, tenant houses, etc.).

15. The **Administrator**, with assistance from the **Office of Law** and the **Department of Finance**, prepares an offer letter that lists easement conditions, a price offer, and the terms of the payment plan. A sample amortization schedule of payments is attached to the offer letter. The **Director of Finance** must certify the sufficiency of funds prior to the issuance of the offer letter. A deadline for written acceptance (30 days) is also provided.
16. If the **Property Owner(s)** accepts the easement conditions, the price offer and the payment terms, then the **ALPB Chair** recommends purchase via a letter to the **County Executive**.
17. If the **County Executive** accepts the Board recommendation, then the **Office of Law**, with the assistance of the **Department of Finance**, prepares a formal commitment letter with a payment schedule for the landowner. Attached to the commitment letter are all sample documents including the Deed of Easement and the Installment Purchase Agreement (IPA).
18. When the commitment letter is signed by all **Property Owners** and other entities holding an interest in the property and returned to the **Administrator**, **Bond Counsel** prepares a bond ordinance for County Council action. The **Administrator** sends deeds and the property survey to the **Title Company** to prepare the title report.
19. The **Administrator** notifies the **Legislative Coordinator** to place the bond ordinance on the **County Council** agenda.
20. The **Administrator** notifies the **Property Owner(s)** of unresolved problems or changes to documents that may need to occur as a result of the title report.
21. The **County Council** holds a public hearing. If the **County Council** approves the bond ordinance, it is sent to the **County Executive** for approval or veto.
22. The **Office of Law**, the **Administrator** and **Bond Counsel** prepare for settlement and finalize all documents. At this time, the **Property Owner(s)** tells the County who will hold title to the IPA. New deeds, if any are needed, are prepared by the **Property Owner**.
23. The settlement is held with the following parties in attendance: **Office of Law**, **Administrator**, **Bond Counsel**, **Title Company**, all **Property Owners** and the **Property Owner's attorney**.
24. The **Title Company** records the Deed of Easement as soon as possible after settlement. **The Administrator** establishes an official file for the property, assigns a property designation (*HO-Year-Number-E*) and forwards that designation to the **Department of Planning and Zoning Division of Research** to be incorporated onto the next zoning map revision.
25. The **Administrator** sends a copy of the Deed of Easement with all recordation information to the **Property Owner(s)** as soon as it is returned by **Land Records**.

## FOR MORE INFORMATION

If you have any questions about the application process, please contact:

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